

Conquest Centre

Staff Grievance Policy

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Animals • Wellbeing • Nature • Connection

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STAFF GRIEVANCE POLICY

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STAFF GRIEVANCE POLICY

1. Policy Statement

Grievances are concerns, problems or complaints that Conquest Centre staff members can raise with their employers. Anybody working in an organisation, at some time, may have problems or concerns about their work, working conditions or relationships with colleagues that they may wish to talk about with management. The purpose of this procedure is to enable a grievance to be resolved fairly, consistently, quickly and as near to its point of origin as possible.

This policy sets out:

- Lawful, non-discriminatory, fair and effective arrangements for dealing with employee concerns and grievances.
- Conquest Centre staff member responsibilities when raising problems and concerns.
- Centre Manager responsibilities for the resolution of issues quickly and consistently in order to maintain good working relationships.

2. Data Protection

Conquest Centre supports the objectives of the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 and other legislation relating to Data Processing, including the Human Rights Act 1998, Regulation of Investigatory Powers Act 2000 and the Freedom of Information Act 2000. Conquest Centre has a statutory obligation to process personal data in accordance with the provisions of the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

Every member of Conquest Centre has an obligation to ensure that the information they process (use) is collected, maintained and disclosed in accordance with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 and the Conquest Centre Data Protection Policy.

3. Disclosure of Information

Any use or disclosure of information held within Conquest Centre, without there being a legitimate purpose or legal basis, will be classed as unauthorised and is a criminal offence under Section 55 of the Act Right of Access (Subject Access Requests)

4. Policy Principles

Any Conquest Centre staff member may raise a grievance under this procedure and all staff members will be treated respectfully, fairly and consistently. Conquest Centre will take seriously any reported grievance and employees who have genuine grievances are encouraged to raise them without fear of recrimination. Where appropriate, every effort will be made to address concerns without recourse to formal procedures.

All grievance matters and investigations will be treated in confidence by all parties involved through every step of the process. Where necessary, the grievance will be investigated by an impartial and independent person who has no connection to the complaint.

All meetings at every stage of the procedure should be arranged as soon as possible and within the timescales noted within the policy.

All Conquest Centre staff members have the right to be accompanied by a work-based colleague or Trade Union representative during formal meetings as part of this procedure.

Consideration will be given to allowing representation, by agreement of all parties, by Trade Union Representatives at the informal stages of the procedure.

The complainant has the right to appeal if they remain unsatisfied at stage one.

Reasonable adjustments will be made if the Conquest Centre staff member has a protected characteristic as defined under the Equality Act 2010.

The Centre Manager will consider all grievances raised by Conquest Centre staff members, except those grievances that the Centre Manager has prior involvement in or are in relation to them, in which it will be considered by the board of Trustees.

A grievance should normally be raised within 3 months of:

- The occurrence of the incident about which the staff member is aggrieved.
- The date the staff member first raised it informally with no satisfactory resolution. This is presuming that the employee initially raised the issue within 3 months of the incident occurring.

Historical grievances will be considered if they are related to a current grievance that is being dealt with and meet the criteria above.

5. Roles and Responsibilities

The Board of Trustees is responsible for:

- Ensuring all grievances are taken seriously and dealt with fairly, consistently and sensitively.
- Owning the grievance procedure (if a grievance is raised in connection to the Centre Manager), ensuring that it proceeds within the timescales laid out in this policy.
- Notifying the Centre Manager, when an informal or formal grievance has been raised in connection to him/her or a decision he/she has made.
- Ensuring that the grievance procedure is followed correctly, seeking advice, when required from the HR company and ensuring relevant parties to the grievance have access to relevant information regarding the grievance in order to respond.

The Centre Manager is responsible for:

- Ensuring a working environment where all Conquest Centre staff members are aware of the grievance procedures.
- Ensuring that all staff members are supported and assisted in resolving issues they have in terms of their employment.
- Attempting to resolve all issues informally before they become formal grievances.
- Treating all grievances seriously, dealing with each one fairly, consistently and sensitively.
- Owning and taking responsibility for the grievance process for all employees and ensure that it proceeds within the timescales detailed in this procedure.
- Notifying the relevant employees, when an informal or formal grievance has been raised in connection to them or a decision they have made.
- Appoint a suitably experienced Conquest Centre staff member to investigate.

Conquest Centre staff members are responsible for:

- Seeking to resolve issues informally before raising a formal grievance.
- Engaging with the Centre Manager to genuinely seek a resolution to a grievance.
- Cooperating in any investigation that is carried out.

- Attending all grievance meetings.
- Maintaining confidentiality.

6. Informal Procedure

If a grievance involves another Conquest Centre staff member, the Centre encourages staff members to seek personal resolution by making a direct approach to the staff member concerned. If this is not possible, or the grievance does not involve another employee, they may discuss the issue with the Centre Manager or any other relevant employee/line manager to see if the matter can be resolved informally without invoking the formal procedure.

Where a grievance is brought against another Conquest Centre staff member, it may be appropriate for the Centre Manager to discuss their actions/inactions with them as part of their normal supervisory arrangements and without recourse to the formal procedures. This may take the form of advice, counselling, training, instruction, coaching or other managerial strategies as appropriate. Such activity may also be delegated to a member of staff. In respect of the Centre Manager, this will be carried out by the board of trustees with support and advice from their HR representative.

The main purpose of this way of working is to resolve the grievance as soon as possible and as close as possible to the situation that has caused concern.

Conquest Centre will always seek to resolve grievance issues in the workplace, however where this is not possible, they should consider using an independent third party to help resolve the problem. Mediation/conciliation can therefore be considered to try and resolve the situation informally. Mediation is a voluntary process where the mediator helps two or more people in dispute to attempt to reach an agreement. Any agreement comes from those in dispute, not from the mediator. The mediator is not there to judge, to say who is right or wrong or to tell those involved what they should do. The mediator is in charge of the process of seeking to resolve the problem.

7. Formal Procedure

Step 1 – Raising a Formal Grievance

When grievances are not resolved to a staff member's satisfaction at the informal stage or if the complaint is considered sufficiently serious, the staff member can raise a formal grievance. To raise a formal grievance, staff members must complete a 'Notice of Grievance' form (appendix 1) and submit the form and any relevant evidence/documentation to the Centre Manager (or directly to the Board of Trustees where the Centre Manager is connected to the grievance or is the complainant).

The formal grievance should include the following:

- The nature of the grievance – what is alleged to have occurred.
- Actions taken to resolve the matter informally and the reason for dissatisfaction with the informal solution (if appropriate).
- The outcome the Conquest Centre staff member is seeking and how this might be achieved.
- Any witnesses to the matters complained about.

Step 2 – Investigating a Grievance

If the Centre Manager / Board of Trustees is of the opinion that the concern falls within the remit of the grievance procedure and an investigation is appropriate, then an investigation

should be undertaken as soon as possible by the Centre Manager or allocated suitably experienced staff member. There may be occasions when it is applicable to appoint an external independent investigator, for example in a particularly complex case.

The appointed investigating, Conquest Centre Staff Member will be responsible for investigating the grievance, including the events surrounding or leading up to the submission of the grievance. This will require the staff member meeting with up with all relevant Conquest Centre staff members, including any that may have witnessed or have key information about the issue.

Any Conquest Centre staff member who is the subject of a grievance must be given details of the complaint beforehand as to be able to properly respond.

A record of each meeting conducted by the investigating staff member will be taken and sent to the individual for them to sign as an accurate account of the meeting.

The investigating staff member should prepare a report detailing the results of their investigation. The investigation report will be used by the Centre Manager / Board of Trustees to determine the full facts and will facilitate a decision on the grievance outcome.

Step 3 – Formal Grievance Meeting – Stage 1

A meeting should take place before the Centre Manager within 15 working days following receipt of the grievance form. If the matter requires investigation, then the meeting should take place within 25 working days. All Conquest Centre staff members involved in the process are entitled to be accompanied by a work-based colleague or Trade Union representative.

During the grievance meeting, the Centre Manager / Board of Trustees will consider all the evidence, the investigation outcome/report and any relevant advice and reach one of the following conclusions:

- Grievance is upheld in whole or in part and recommend what steps should be taken to resolve it and what (if any) management recommendations should be made.
- Grievance is not upheld. There may be some lessons learnt and recommendations made as a result of the investigation.
- Grievance has been raised vexatiously, and therefore, the Conquest Centre staff member who has raised the grievance may be subject to disciplinary proceedings.

Where possible, a decision will be provided orally to the staff member at the end of the grievance meeting, followed up in writing within 5 working days of the date of the meeting. The employee has the right to appeal against the outcome if they remain unsatisfied.

Step 4 – Formal Grievance Appeal – Stage 2

Where a staff member feels that their grievance has not been satisfactorily resolved, they have the right to appeal to the Board of Trustees, within 10 working days of receipt of the grievance outcome letter.

The employee must ensure that a Grievance Appeal is emailed to the Board of Trustees and that it clearly demonstrates why they believe that the outcome of the grievance was not correct or that the recommended resolutions as a result of the outcome are not appropriate.

Normally within 5 working days of receiving the completed grievance appeal email the Board of Trustees will write to the staff member acknowledging receipt of the appeal and confirm that a formal grievance appeal meeting will be convened and advise the Conquest Centre staff member of their right to be accompanied by a Trade Union Representative or work-based colleague.

On receipt of the written appeal against the decision, the Board of Trustees will arrange for the Grievance Appeal committee to meet within 15 working days to hear the grievance appeal. The grievance appeal meeting will focus on issues set out in the appeal notification and, therefore, the appeal meeting may not always take the form of a complete re-hearing/investigation of the concerns.

The Grievance Appeal committee will elect a chairperson. The names of the Board Members on this committee should be provided in advance to the Conquest Centre staff member who is appealing the grievance outcome.

The Grievance Appeal Committee may, after considering all the facts presented, including any new evidence, may come to the conclusion to;

- Uphold the original grievance decision of the Centre Manager / Board of Trustees.
- Partially uphold the appeal
- Fully uphold the appeal

In these circumstances the panel would be required to reach a new grievance outcome/resolution in light of the new information/findings.

The Appeal Panel's decision will be final. The Conquest Centre staff member will be notified of the Grievance appeal outcome in writing within 5 working days of the date of the appeal meeting.

8. Centre Manager Grievance

If the Centre Manager raises a grievance, the Board of Trustees should seek to resolve the problem on an informal basis personally. Where this fails to resolve the grievance, the matter a Grievance Appeal Committee should be created. The matter can then be dealt with by the Grievance Appeal Committee following the procedure in Steps 1 – 4 as outlined above.

9. Collective Grievance

A collective grievance is where a number of Conquest Centre staff members have the same concern or have been affected by the same issue. A collective grievance can be submitted by a staff member on behalf of a group of staff. In these cases, every Conquest Centre staff member who is a signatory to the collective grievance is required to be named and have given their written consent for their representative to act and speak on their behalf. This information is required to be provided at the time of submitting the collective grievance on the grievance form prior to any meetings being arranged.

10. Grievance from former employees

There is no necessity for Conquest Centre to investigate a grievance raised by a former employee if it is submitted after their last day of service. If an individual leaves the employment of Conquest Centre, then decides they wish to make a formal grievance regarding their employment, this should be confirmed in writing to the Centre Manager and considered via complaints procedure.

11. Vexatious Grievance

A vexatious grievance is defined as follows:

- The investigation has shown the original grievance to be without foundation and that the grievance has been submitted vexatiously or as means of frustrating another process.
- The investigation can demonstrate that the complainant in making his/her grievance, knowingly lied to the investigating appointed Conquest Centre Staff Member.

If the finding from the grievance investigation/appeal process is that the grievance is vexatious, it may result in disciplinary procedure being instigated against the Conquest Centre staff member and/or a decision to no longer respond to repeated grievances raised by the employee that are viewed as vexatious.

The Centre Manager / Board of Trustees should explain in writing why in their opinion the grievance is vexatious, referring to the evidence used to reach this decision. If the appeal is unsuccessful, no further grievance hearing will be undertaken in relation to the same complaint.

Information gathered as part of the grievance investigation may form part of the disciplinary investigation/procedure.

Making a false, vexatious or malicious grievance under this procedure can entail a serious disciplinary matter that may result in dismissal for gross misconduct.

12. Records

Written records will be kept throughout both the informal and formal stages of the procedure in line with employment legislation and data protection legislation.

13. Policy Review

The Centre Manager is responsible for monitoring and reviewing this policy. This policy will be reviewed annually. In addition, changes to legislation, national guidance, codes of practice or government advice may trigger interim reviews.

Appendix
Appendix 1 Grievance Notification Form

Notice of Grievance' Form

Name:

Manager:

Job Title:

What is your grievance?

What action has been taken so far to resolve the grievance, by whom, and what was the result?

What is the outcome that you require to resolve your grievance?

Signed **Date**

Please submit this form to the Centre Manager.